

REMARKS

Claims 1-21 are pending in the application. Claims 1, 10, and 18 are the only independent claims.

Election Requirement

The Examiner has held that the application contains claims directed to seven (7) patentably distinct species of invention and requires election of a single species for prosecution on the merits to which claims shall be restricted if no generic claim is finally held to be allowable..

In response to the Restriction Requirement, applicant hereby elects Species 1 -- Figures 1A-1D where the anchor 38 is integral and the tensile member is barbed -- for continued prosecution in the application.

The present election is made with traverse, in part because the method of partially closing a ventricle is the main feature of the invention and searching this method regardless of whether barbs or flanges are the operative hardware would not constitute an undue burden on the Examiner. Thus, it is believed that Species 2 (same Figures 1A-1D) could be easily searched and examined together with Species 1.

Claims 1-3, 7, 8, 10, 11, 13, 14, and 16-20 are readable on the elected species, Species 1.

Drawings

The drawings stand objected to under 37 C.F.R. § 1.84(p)(4) because the reference character "34" has been used to designate both myocardium region and heart wall.

Applicant respectfully traverses the objection to the drawing. The terms "myocardium

region” and “heart wall” as used in the specification are intended to be different names for the same object. Thus, reference character “34” represents one object or feature only, not two.

Specification

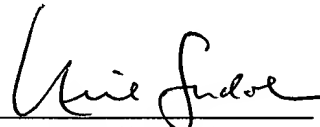
The Examiner has pointed out that the title is not descriptive.

In response, the title has been amended so as to be more descriptive of the claimed invention.

Should the Examiner believe that direct contact with applicant’s attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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